

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CIVIL NO. 05-0677-WS
)	
GEORGE ALLUMS, JR.,)	CRIMINAL NO. 97-0099-WS
)	
Defendant.)	

ORDER

This matter is before the Court on petitioner George Allums, Jr.’s *pro se* Petition Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (doc. 2012). Pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings for the United States District Courts, the undersigned has conducted an initial review of the Petition. That initial review reflects that neither the Motion nor the accompanying 129-page Memorandum of Law (doc. 2013) is signed by petitioner, and that the signature blocks in both documents have been left blank.¹ Rule 2(b)(5) of the Rules Governing Section 2255 Proceedings for the United States District Courts provides that any § 2255 motion “must ... be signed under penalty of perjury by the movant or by a person authorized to sign it for the movant.” Similarly, Rule 11(a) of the Federal Rules of Civil Procedure provides that “[e]very pleading, written motion and other paper shall be signed by at least one attorney of record in the attorney’s individual name, or, if the party is not represented by an attorney, shall be signed by the party.” The Motion and Memorandum are not in compliance with these rules, and therefore cannot be accepted in their present form.

In light of this threshold defect, petitioner is **ordered**, on or before **December 12, 2005**, to

¹ The Court also notes that approximately 118 pages of said Memorandum of Law appear to consist of mere boilerplate legal arguments, cut and pasted from other briefs in other habeas actions, with no analysis or application of how they relate to Allums’ specific circumstances.

submit an Amended Motion and an Amended Memorandum of Law, both containing his original signature in the appropriate signature blocks. Failure to submit such amended filings in a timely manner will result in dismissal of this action without prejudice.

DONE and ORDERED this 21st day of November, 2005.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE